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DEC 20 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

0474

December 20, 1996

**BY HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, DC 20554

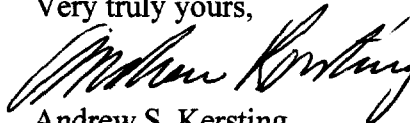
Re: MM Docket No. 96-219  
RM-8881  
Taylor and Temple, Texas

Dear Mr. Caton:

Transmitted herewith on behalf of Stellar Communications, Inc., licensee of Station KKIK(FM), Temple, Texas, are an original and four copies of its comments in response to the *Notice of Proposed Rulemaking*, DA 96-1774 (released November 1, 1996), in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,



Andrew S. Kersting  
Counsel for Stellar Communications, Inc.

Enclosures

cc (w/ encl.): Mr. John A. Karousos (by hand)  
Ms. Pamela Blumenthal (by hand)

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BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b) of the ) MM Docket No. 96-219  
Commission's Rules, FM Table of Allotments, ) RM-8881  
(Taylor and Temple, Texas) )  
  
To: Chief, Allocations Branch

**COMMENTS OF STELLAR COMMUNICATIONS, INC.**

Stellar Communications, Inc. ("Stellar"), licensee of Station KKIK(FM), Temple, Texas, by counsel, hereby files its comments in response to the *Notice of Proposed Rulemaking*, DA 96-1774 (released November 1, 1996) ("NPRM"), in the above-captioned proceeding.

Except as modified herein, Stellar hereby incorporates by reference its Petition for Rulemaking, filed September 5, 1996 ("Petition"), in which Stellar proposed to amend the FM Table of Allotments by reallocating Channel 282C2 from Temple to Taylor, Texas, and thereby provide Taylor with its *first* full-time local service and first FM service.<sup>1</sup> Stellar also proposed to modify Station KKIK(FM)'s license to specify Taylor as its community of license pursuant to *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

The FM Table of Allotments contained in Section 73.202(b) of the Commission's rules indicates that Channel 221A presently is assigned to Taylor, Texas. However, Channel 221A has been reassigned to Hutto, Texas, and Station KIKY(FM) presently is operating as a licensed facility

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<sup>1</sup> As discussed in greater detail herein, the *NPRM* does not recognize that Channel 221A has been reassigned from Taylor to Hutto, Texas. *See NPRM*, ¶¶4, 6.

on that channel in Hutto. *See* File Nos. BPH-910503IB (granted March 27, 1992); BLH-940721KD. Thus, the proposed FM Table of Allotments set forth in paragraph 6 of the *NPRM* should be revised to reflect that Channel 221A no longer is assigned to Taylor.

As demonstrated in the attached engineering statement, the reallocation of Channel 282C2 from Temple to Taylor, Texas, will result in 636,046 persons gaining a new service in an area of 4,904 square kilometers, while 240,006 persons will lose the existing service from Station KKIK in an area of 3,719 square kilometers. This constitutes a gain of 260% in population served.<sup>2</sup>

The area losing service from Station KKIK will continue to receive service from a minimum of four stations, with most areas within the loss area receiving service from eight or more stations. *Engineering Statement*, p. 2. In addition to Station KKIK, the community of Temple itself is assigned one full-time AM station and one Class C3 FM station. Temple will continue to receive service from five other FM stations and receives full-time, interference-free AM service from three additional AM stations, for a total of ten reception services. *Id.*

As noted above, the reallocation of Channel 282C2 to Taylor will provide the community with its first local full-time broadcast service and its first local FM service. Taylor presently receives full-time reception service from three AM and eight FM stations, including Station KKIK. Thus, with the proposed reallocation Taylor will continue to receive a total of 11 services. *Engineering Statement*, p. 2.

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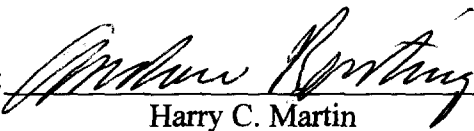
<sup>2</sup> As explained in the attached engineering statement, the minor differences between the area and population data contained therein and those in the original engineering statement submitted in support of Stellar's Petition are due to the more refined method of calculating the contours which was used in this study. *See Engineering Statement*, p. 2.

Stellar reiterates that if its proposal to reallocate Channel 282C2 from Temple to Taylor, Texas, is granted, Stellar will file an application for a construction permit for the new facility, and, upon grant of its application, promptly construct the new facilities.

WHEREFORE, in light of the foregoing, Stellar Communications, Inc. respectfully requests that the Commission AMEND the FM Table of Allotments and ALLOT Channel 282C2 to Taylor, Texas, as that community's first full-time local service.

Respectfully submitted,

STELLAR COMMUNICATIONS, INC.

By:   
Harry C. Martin  
Andrew S. Kersting

Its Counsel

Fletcher, Heald & Hildreth, P.L.C.  
1300 N. Seventeenth Street, 11th Floor  
Rosslyn, Virginia 22209  
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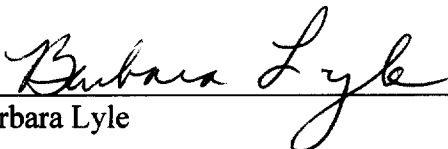
December 20, 1996

**CERTIFICATE OF SERVICE**

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that on this 20th day of December, 1996, copies of the foregoing "Comments of Stellar Communications, Inc." were hand delivered to the following:

John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W., Room 554  
Washington, DC 20554

Ms. Pamela Blumenthal  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8308  
Washington, DC 20554

  
\_\_\_\_\_  
Barbara Lyle

**SELLMEYER ENGINEERING**  
BROADCAST AND COMMUNICATIONS CONSULTING ENGINEERS  
P.O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE  
(972) 542-2066

EXHIBIT E-1

=====

ENGINEERING STATEMENT IN SUPPORT OF PETITION FOR RULEMAKING  
TO CHANGE CITY OF LICENSE OF RADIO STATION KKIK (FM)  
FROM TEMPLE, TEXAS TO TAYLOR, TEXAS

MM DOCKET No.: 96-219

DECEMBER, 1996

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DECEMBER, 1996

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ENGINEERING STATEMENT IN SUPPORT OF PETITION FOR RULEMAKING  
TO CHANGE CITY OF LICENSE OF RADIO STATION KLIK (FM)  
FROM TEMPLE, TEXAS TO TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996

=====

This Firm has been retained by Stellar Communications, Inc., licensee of Radio Station KLIK (FM), Temple, Texas. The instant proposal relocates Station KLIK from Temple, Texas to the community of Taylor, Texas. This relocation will provide Taylor with its first fulltime radio broadcast service and its first FM service.

This Engineering Statement will supply certain data regarding comparative area and population figures related to the proposed change in city of license.

The map of Exhibit E1-1 and its associated table, Exhibit E1-1A, provide a visual and tabulated picture of the existing and proposed locations showing existing fulltime AM and FM broadcast services for the areas.

The map of Exhibit E-2 shows only the existing and proposed 60 dBu service contours of Station KLIK for clarity.

All FM broadcast contours shown are the 60 dBu (1.0 mV/m) contours. The contours are calculated from the facilities listed in the FM Database, except for stations below Class C which are calculated on the basis of the maximum class coverage. Each contour was calculated in accordance with the methods outlined in Section 73.313 of the Rules. Terrain data was obtained from a computerized 30 second terrain database maintained by this Firm. The average elevations between three and sixteen kilometers from the site along the eight cardinal radials were extracted from this database using linear interpolation between adjacent data points. Calculation of the distance to the 60 dBu contour was performed by a computer program maintained by this Firm which accurately emulates the propagation curves of Figure 1 of Section 73.333 of the Rules. The output data was plotted by a digital computer using a common reference.

The AM contours are the night interference free contours in the case of the Class B and Class C stations and the 0.5 mV/m groundwave contours in the case of Class A stations. All conductivities were determined on the basis of map M-3. The standard pattern for each station was taken from the AM Database. The calculation of the distances to the appropriate contours was performed in accordance with the methods outlined in Section 73.183 of the Rules. the nighttime interference free contour was determined in accordance with the methods outlined in Section 73.182 of the Rules.

The existing and proposed 60 dBu contours of Station KLIK are shown on the map of Exhibit E1-1 as dashed lines to distinguish them from other overlapping stations.

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The population with the existing and proposed contours was determined by calculating the distance to the 60 dBu contour of each site at five degree intervals and electronically overlaying the contours on the appropriate 1990 US Census Maps. The population of each census unit within the appropriate contour was summed to obtain the total population within the contour. Where a contour crossed only a portion of the census unit, the area of the included portion was calculated and uniform distribution of population was assumed. The area with the contour was calculated by integration of each five degree segment and the total of the segments was added by a computer program to obtain the total area.

The tabulations of Exhibit E1-3 and E1-3A list the area and population gains and losses resulting from the proposed relocation of Station KKIK. Minor differences noted between the instant exhibits and the area and population shown in the original Engineering Statement attached to the Petition for Rulemaking are due to the more refined method of calculation of the contours used in this study. The original calculations, although very close to the figures reported herein were based on only eight radials for each contour.

It may be seen that 636,046 persons will gain new service in an area of 4904 square kilometers while 240,006 persons will lose the existing service from Station KKIK in an area of 3719 square kilometers, a gain of two hundred and sixty percent in population served. An area of overlapping service between the existing and proposed service areas will be unaffected. An additional 67,598 persons reside within this area for a total population receiving service from the proposed KIKK operation of 703,644 persons.

The community of Taylor will gain its first local fulltime broadcast service. The community presently receives fulltime service from three AM and eight FM stations including Station KKIK. With the relocation of Station KKIK, Taylor will receive a much stronger local signal from Station KKIK for a total of eleven stations.

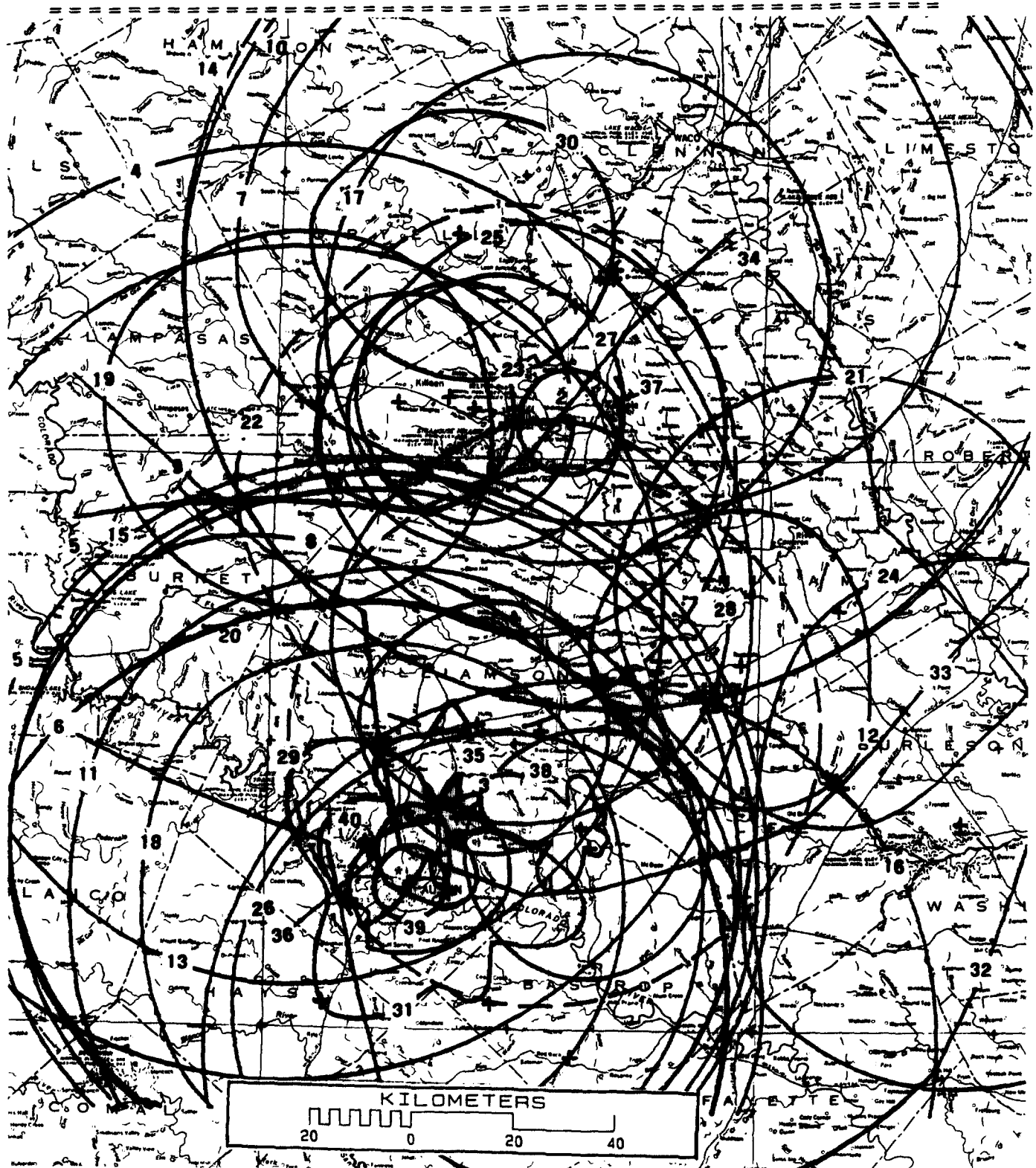
The persons residing in the area losing service from Station KKIK receive service from a minimum of four stations with most areas receiving service from eight or more stations. The community of Temple has assigned one fulltime AM and one Class C3 FM station. In addition, it receives FM service from five other FM stations and receives fulltime interference free AM service from three additional AM stations. A total of eleven services remain in Temple, Texas.

This gain, coupled with the provision of first fulltime local service to Taylor, Texas complies with the FCC Policy for a change in the City of License.



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EXHIBIT E1-1  
MAP SHOWING FULLTIME AM & FM BROADCAST SERVICES  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996



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MEMBER AFCCE

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EXHIBIT E1-1A  
TABULATION OF STATIONS INCLUDED IN  
MAP SHOWING FULLTIME AM & FM BROADCAST SERVICES  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996

NUMBER	CALL STATUS	LOCATION STATE	CHANNEL CLASS	ERP:KW HAAT	LATITUDE LONGITUDE
1	KIKY LIC	HUTTO TX	221 A	1.65 92.1 137	30-31-53 97-34-37
2	KIIZFM LIC	KILLEEN TX	222 A	3.6 92.3 79	31-06-33 97-39-00
3	KKLB LIC	ELGIN TX	223 A	1.6 92.5 137	30-19-00 97-20-22
4	KAJZ LIC	KILLEEN TX	227 C	100. 93.3 594	30-43-34 97-59-23
5	KLBJFM LIC	AUSTIN TX	229 C	97. 93.7 320	30-18-36 97-47-33
6	KAMX LIC	LULING TX	234 C	97. 94.7 383	30-02-42 97-52-50
7	KCKR LIC	WACO TX	238 C	100. 95.5 326	31-19-17 97-20-41
8	KKMJFM LIC	AUSTIN TX	238 C	100. 95.5 305	30-19-23 97-47-58
9	KHFIFM LIC	GEORGETOWN TX	244 C1	100. 96.7 290	30-19-20 97-48-03
10	KWTXFM LIC	WACO TX	248 C	97.0 97.5 478	31-19-19 97-18-58
11	KVETFM LIC	AUSTIN TX	251 C1	100. 98.1 209	30-13-24 97-49-39
12	KRXT LIC	ROCKDALE TX	253 A	6.0 98.5 100	30-38-32 97-02-13
13	KUTZ LIC	LAMPASAS TX	255 C1	18.0 98.9 553	30-43-34 97-59-23
14	WACOFM LIC	WACO TX	260 C	90.0 99.9 506	31-20-15 97-18-37
15	KASE LIC	AUSTIN TX	264 C	100. 100.7 363	30-19-10 97-48-06
16	KROXFM LIC	GIDDINGS TX	268 C1	100. 101.5 299	29-57-00 97-22-13
17	KLTD LIC	TEMPLE TX	269 C3	16.5 101.7 125	31-16-24 97-23-31
18	KPEZ LIC	AUSTIN TX	272 C2	20.0 102.3 209	30-13-24 97-49-39

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EXHIBIT E1-1A, CONTINUED  
TABULATION OF STATIONS INCLUDED IN  
MAP SHOWING FULLTIME AM & FM BROADCAST SERVICES  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996

NUMBER	CALL STATUS	LOCATION STATE	CHANNEL CLASS	ERP:KW HAAT	LATITUDE LONGITUDE
19	KOOV LIC	COPPERAS COVE TX BLH-931229KC	276 C3	8.6 103.1 170	31-05-05 97-57-07
20	KEYIFM LIC	SAN MARCOS TX BLH-880113KA	278 C	96. 103.5 383	30-02-42 97-52-50
21	KHLR LIC	CAMERON TX BLH-930924KB	280 C2	25. 103.9 212	30-44-14 96-50-14
22	KKIK LIC	TEMPLE TX BLH-910422KI	282 C2	34. 104.3 182	30-59-12 97-37-47
23	KNRV LIC	HARKER HEIGHTS TX BLH-870622KB	288 A	1.70 105.5 116	31-05-52 97-45-12
24	KTTX LIC	BRENNHAM TX BLH-920221KB	291 C2	50. 106.1 150	30-21-48 96-34-33
25	KOOC LIC	BELTON TX BLH-920811KB	292 C3	11.5 106.3 149	31-03-46 97-31-54
26	KGSR LIC	BASTROP TX BLH-890413KD	296 C2	46. 107.1 158	30-02-30 97-32-12
27	KLFX LIC	NOLANVILLE TX BLH-941117KC	297 A	1.95 107.3 160	31-05-23 97-35-55
28	KNNC LIC	GEORGETOWN TX BLH-950320KU	299 C3	9.1 107.7 164	30-43-10 97-30-25
29	KKIK PROP	TAYLOR TX MM DOC 96-219	282 C2	50 104.3 150	30-31-18 97-26-40
30	KRYL LIC	GATESVILLE TX BLH-7038	252 A	3.00 91	31-23-52 97-38-24
31	KLBJ LIC	AUSTIN TX	590 B	1.00 DA-N	30-14-14 97-37-44
32	WBAP LIC	FT. WORTH TX	820 A	50.0 ND-U	32-36-38 97-10-00
33	KRLD LIC	DALLAS TX	1080 A	50.0 ND-U	32-53-25 96-38-44
34	WOAI LIC	SAN ANTONIO TX	1200 A	50.0 ND-U	29-30-05 98-07-09
35	KVET LIC	AUSTIN TX	1300 B	1.00 DA-N	30-22-31 97-42-59
36	KJCE LIC	ROLLINGWOOD TX	1370 B	0.50 DA-N	30-18-16 97-38-53
37	KTEM LIC	TEMPLE TX	1400 C	1.00 ND-U	31-03-56 97-23-57

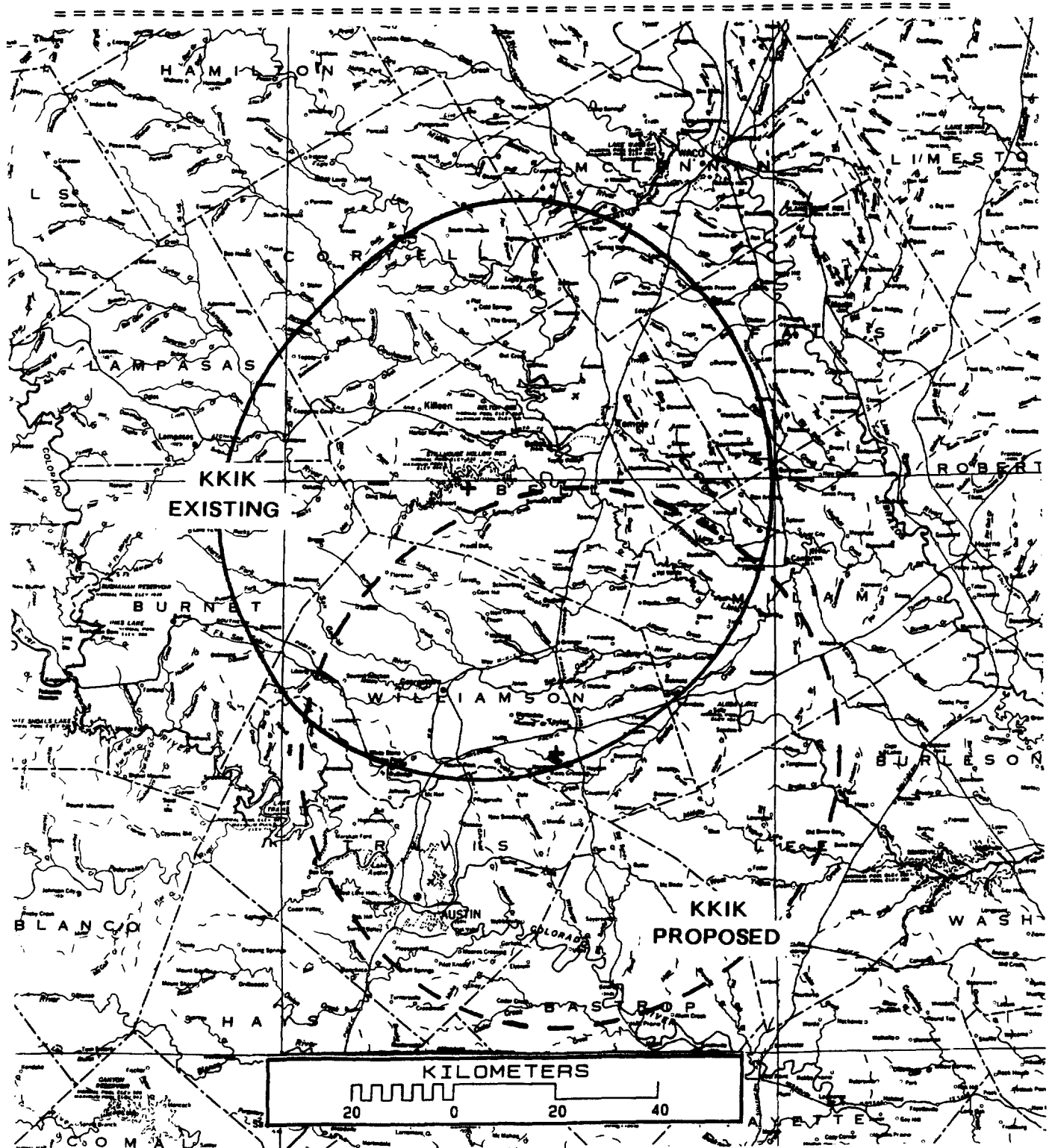
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EXHIBIT E1-1A, CONTINUED  
TABULATION OF STATIONS INCLUDED IN  
MAP SHOWING FULLTIME AM & FM BROADCAST SERVICES  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996

NUMBER	CALL STATUS	LOCATION STATE	CHANNEL CLASS	ERP:KW HAAT	LATITUDE LONGITUDE
38	KELG LIC	ELGIN TX	1440 B	0.50 DA-N	30-21-05 97-21-25
39	KFON LIC	AUSTIN TX	1490 C	1.00 ND-U	30-15-13 97-42-25
40	KTXZ LIC	WEST LAKE HILLS TX	1560 B	2.50 DA-N	30-21-38 97-39-11

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EXHIBIT E1-2  
MAP SHOWING EXISTING AND PROPOSED KKIK SERVICE CONTOURS  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No.: 96-219  
DECEMBER, 1996



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EXHIBIT E1-3  
TABULATION OF AREAS AND POPULATIONS  
RADIO STATION KKIK  
TEMPLE & TAYLOR, TEXAS  
MM DOCKET No: 96-219  
DECEMBER, 1996

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Project: KKIK Area & Population Gain  
KKIKPROP Source Coordinates: 30-31-18 North 97-26-40 West  
KKIKPRES Source Coordinates: 30-59-12 North 97-37-47 West

This program uses the 1990 US Census Database: PL 94-171.  
Distance to the Contours are interpolated between Azimuths.  
Centroids within KKIKPROP Contour but outside KKIKPRES Contour.  
KKIKPROP Contour is 60 dBu. KKIKPRES Contour is 60 dBu.

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TX, Bastrop County	Population :	27,707	Households:	11,270
	County Total Persons:	38,263	Households:	16,301
	Persons in Contour:	72%	Households:	69%
Area County Total:	2,301 sq. km	Contour:	1,242 sq. km =	54%
TX, Lee County	Population :	3,739	Households:	1,729
	County Total Persons:	12,854	Households:	5,773
	Persons in Contour:	29%	Households:	30%
Area County Total:	1,628 sq. km	Contour:	765 sq. km =	47%
TX, Milam County	Population :	10,331	Households:	4,596
	County Total Persons:	22,946	Households:	10,511
	Persons in Contour:	45%	Households:	44%
Area County Total:	2,633 sq. km	Contour:	654 sq. km =	25%
TX, Travis County	Population :	514,949	Households:	238,479
	County Total Persons:	576,407	Households:	264,173
	Persons in Contour:	89%	Households:	90%
Area County Total:	2,563 sq. km	Contour:	1,546 sq. km =	60%
TX, Williamson County	Population :	79,320	Households:	31,003
	County Total Persons:	139,551	Households:	54,466
	Persons in Contour:	57%	Households:	57%
Area County Total:	2,912 sq. km	Contour:	697 sq. km =	24%
-----				
Population Gain:		636,046	Households:	287,077
Land Area Gain:		4,904	sq. km	
Total Population:		703,644	Households:	313,792
Total Land Area:		8,414	sq. km	

# SELLMEYER ENGINEERING

BROADCAST AND COMMUNICATIONS CONSULTING ENGINEERS  
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## EXHIBIT E1-3A TABULATION OF AREAS AND POPULATIONS RADIO STATION KLIK TEMPLE & TAYLOR, TEXAS MM DOCKET No: 96-219 DECEMBER, 1996

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Project: KLIK Area & Population Loss  
KLIKPRES Source Coordinates: 30-59-12 North 97-37-47 West  
KLIKPROP Source Coordinates: 30-31-18 North 97-26-40 West

This program uses the 1990 US Census Database: PL 94-171.  
Distance to the Contours are interpolated between Azimuths.  
Centroids within KLIKPRES Contour but outside KLIKPROP Contour.  
KLIKPRES Contour is 60 dBu. KLIKPROP Contour is 60 dBu.

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TX, Bell County	Population :	182,385	Households:	72,346
	County Total Persons:	191,088	Households:	75,957
	Persons in Contour:	95%	Households:	95%
	Area County Total:	2,743 sq. km	Contour:	1,740 sq. km = 63%
TX, Burnet County	Population :	715	Households:	446
	County Total Persons:	22,677	Households:	12,801
	Persons in Contour:	3%	Households:	3%
	Area County Total:	2,578 sq. km	Contour:	582 sq. km = 23%
TX, Coryell County	Population :	47,189	Households:	13,479
	County Total Persons:	64,213	Households:	18,970
	Persons in Contour:	73%	Households:	71%
	Area County Total:	2,724 sq. km	Contour:	553 sq. km = 20%
TX, Falls County	Population :	230	Households:	101
	County Total Persons:	17,712	Households:	7,733
	Persons in Contour:	1%	Households:	1%
	Area County Total:	1,992 sq. km	Contour:	102 sq. km = 5%
TX, Lampasas County	Population :	2,557	Households:	971
	County Total Persons:	13,521	Households:	6,193
	Persons in Contour:	19%	Households:	16%
	Area County Total:	1,844 sq. km	Contour:	54 sq. km = 3%
TX, McLennan County	Population :	4,868	Households:	1,956
	County Total Persons:	189,123	Households:	78,857
	Persons in Contour:	3%	Households:	2%
	Area County Total:	2,699 sq. km	Contour:	307 sq. km = 11%
TX, Milam County	Population :	737	Households:	339
	County Total Persons:	22,946	Households:	10,511
	Persons in Contour:	3%	Households:	3%
	Area County Total:	2,633 sq. km	Contour:	239 sq. km = 9%
TX, Williamson County	Population :	1,325	Households:	522
	County Total Persons:	139,551	Households:	54,466
	Persons in Contour:	1%	Households:	1%
	Area County Total:	2,912 sq. km	Contour:	142 sq. km = 5%

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Population loss:	240,006	Households:	90,160
Land Area in Contour from Census:	3,719 sq. km		
Total Population :	307,604	Households:	116,875
Total Land Area:	7,732 sq. km		

**SELLMEYER ENGINEERING**  
BROADCAST AND COMMUNICATIONS CONSULTING ENGINEERS  
P.O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE  
(972) 542-2056

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**CERTIFICATION OF ENGINEER**

I hereby state that:

I am President of Sellmeyer Engineering

The Firm of Sellmeyer Engineering has been retained by Stellar Communications, Inc. to prepare this Engineering Exhibit

I am a graduate of Arizona State University with the degree of Bachelor of Science in Engineering

I am a Registered Professional Engineer in the States of Ohio and Texas

My qualifications as an Engineer are a matter of record with the Federal Communications Commission, having been previously accepted in applications of this type

This Engineering Exhibit was prepared by me personally or under my direct supervision, and

All facts stated herein are true and correct to the best of my knowledge and belief.



J. S. Sellmeyer, P. E.

December, 1996

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